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sued as RGIS Inventory Specialists, Inc.)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRISHA WREN and CYNTHIA PIPER,
et al., individually and behalf of others
similarly situated,

Plaintiffs,

v.

RGIS Inventory Specialists, LLC, RGIS,
LLC, Does 1-25 Inclusive,

Defendants.

Case Nos.: 3:06-cv-05778 JCS
3:07-cv-00032 JCS

CLASS AND COLLECTIVE ACTION

STIPULATION AND ~~PROPOSED~~
ORDER RE DISTRIBUTION OF
SETTLEMENT FUNDS

Honorable Joseph C. Spero

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STIPULATION

WHEREAS the parties have agreed to settle the matters of *Wren & Piper v. RGIS Inventory Services LLC* for the gross settlement amount of \$27,000,000 (Dkt. No. 932);

WHEREAS the Court granted final approval of class action settlement in the matters of *Wren & Piper v. RGIS Inventory Services LLC* on April 1, 2011 (Dkt. No. 932);

WHEREAS the claims administrator, Rust Consulting LLC, distributed 64,714 individual settlement awards to the settlement class on or about July 23, 2011;

WHEREAS out of the 64,714 settlement award checks that were distributed in July 2011, approximately 18,221 remain un-cashed. These settlement award checks are approximately categorized as follows:

Check Value	Number of Un-Cashed Checks
Greater than \$3,000	29
Between \$2,000 and \$2,999	33
Between \$1,000 and \$1,999	158
Between \$500 and \$999	334
Between \$400 and \$499	172
Between \$300 and \$399	197
Between \$200 and \$299	450
Between \$100 and \$199	1,478
Between \$50 and \$99	2,589
Less than \$49	12,781

WHEREAS \$1,435,696.18 remains in the Settlement Fund as a result of the un-cashed settlement award checks;

WHEREAS the Court approved a \$150,000.00 Reserve Fund for the purpose of funding settlement awards for eligible settlement class members who were

1 inadvertently omitted from the initial distribution of settlement awards, and for
2 paying Rust Consulting for any administration fees and costs associated with
3 providing settlement awards to such individuals (Dkt. No. 942);

4 WHEREAS seven inadvertently omitted settlement class members and one
5 settlement class member seeking an award adjustment made valid claims on the
6 Reserve Fund;

7 WHEREAS Rust Consulting LLC distributed a combined total of \$18,173.26
8 to the omitted settlement class members on or about March 2, 2012;

9 WHEREAS \$131,826.74 remains in the Reserve Fund;

10 WHEREAS the combined balance of the Settlement Fund and the Reserve
11 Fund amounts to \$1,567,522.92;

12 WHEREAS Drogin, Kakigi & Associates has incurred \$54,400 in unpaid fees
13 and costs for calculating individual settlement awards pursuant to the Settlement
14 Agreement subsequent to December 2010;

15 WHEREAS Rust Consulting LLC has incurred \$95,737.54 in unpaid fees and
16 costs arising out of the administration of the settlement herein;

17 WHEREAS the parties hereby stipulate to the following distribution of the
18 remaining settlement funds:

- 19 1. Drogin, Kakigi & Associates shall be paid \$54,400 from the Settlement
20 Fund within 10 days of the date of the Court's approval of this Stipulation;
- 21 2. Rust Consulting LLC shall be paid \$95,737.54 from the Settlement Fund
22 within 10 days of the date of the Court's approval of this Stipulation;

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1 3. Rust Consulting LLC shall conduct “manual” address traces to attempt to
2 locate the 923 class members who are entitled to settlement awards greater
3 than \$300 and who have not cashed their settlement award checks. These
4 searches shall be paid for by Reserve Fund money, and are estimated to cost
5 between \$12,000 and \$25,000.
6

7 IT IS SO STIPULATED.

8 Dated: March 20, 2012

SCHNEIDER WALLACE
COTTRELL BRAYTON KONECKY LLP

9 By: ____/s/____

10 ANDREW P. LEE
11 Attorneys for Plaintiffs

12 Dated: March 20, 2012

AKIN GUMP STRAUSS HAUER & FELD
LLP

13 By: ____/s/____

14 CATHERINE A. CONWAY
15 Attorneys for Defendants

16 I, Andrew P. Lee, am the ECF user whose ID and password are being used to
17 file this Stipulation and [proposed] Order Regarding Distribution of Settlement
18 Funds. In compliance with General Order 45, X.B., I attest that Cathy Conway has
19 concurred in this filing.
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ORDER

The Court, having reviewed the parties' stipulation, and good cause appearing, hereby ORDERS as follows:

1. Drogin, Kakigi & Associates shall be paid \$54,400 from the Settlement Fund within 10 days of the date of the Court's approval of this Stipulation;
2. Rust Consulting LLC shall be paid \$95,737.54 from the Settlement Fund within 10 days of the date of the Court's approval of this Stipulation;
3. Rust Consulting LLC shall conduct "manual" address traces to attempt to locate the 923 class members who are entitled to settlement awards greater than \$300 and who have not cashed their settlement award checks. A maximum of \$25,000 of Reserve Fund money may be used to conduct these searches.

IT IS SO ORDERED.

Dated: March 21, 2012

